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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,111	08/01/2003	Ji Zhang	23196-07684	3625
<div>758 7590 09/25/2007</div> <div>FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041</div> <div>EXAMINER HUBER, JEREMIAH C</div> <div>ART UNIT PAPER NUMBER</div> <div>2621</div> <div>MAIL DATE DELIVERY MODE</div> <div>09/25/2007 PAPER</div>				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/633,111	Applicant(s) ZHANG ET AL.	
	Examiner Jeremiah C. Huber	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/10/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-21 and 38-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received:
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/19/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to because many of the drawings contain text that exceeds the size of the flowchart box, for example Fig. 2 boxes 215, 225 and 240 and especially Fig. 7 420. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: the specification, in regard to Figs. 2 and 6, and par. 11 describe a transrater that decodes a compressed bitstream then re-quantizes the bitstream. Figures 2 and 6 show a forward DCT (225) on the decoding side and an inverse DCT (240) on the encoding side. Based on the specification par. 56 and the examiner's general knowledge in the art, the examiner believes this to be a mistake and that the forward DCT and inverse DCT should be switched in the drawings and in par. 11. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-21 and 38-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art in view of Rate Control for Robust Video Transmission over Burst-Error Wireless Channels (hereafter Hsu).

In regard to claim 13 the applicant's admitted prior art discloses a method for transrating a compressed bitstream including:

extracting a packet payload from the compressed bitstream (Spec Fig. 2 210 and par. 11);

decoding the packet payload into at least one video frame (Spec Fig. 2 215 and par. 11);

storing decoded video frames in at least one frame buffer (Spec Fig. 2 235 and par. 11);

providing data from the frame buffer to an encoder output that has a quantization scale factor (Spec Fig. 2 240-260 and pars. 11-12);

It is noted that the applicant's admitted prior art does not disclose a plurality of encoder outputs each with an associated quantization scale factor. However Hsu discloses a rate control method in which an encoder is provided with a plurality of outputs that each have an associated quantization scale factor (Hsu Fig. 3 and Section III particularly paragraph 2). It is therefore considered obvious that one of ordinary skill in the art at the time of the invention would recognize the advantage of including an encoding structure as taught by Hsu in the invention taught by the applicant's admitted prior art in order to select the encoder rate allocation that produces the minimum distortion at the decoder for given rate constraints as taught by Hsu (Hsu Section III paragraph 1).

In regard to claim 14 refer to the statements made in the rejection of claim 13 above. The applicant's admitted prior art further discloses DCT coefficients associated with a partial packed decode (Spec Fig. 2 215 and 225 and par. 11)

In regard to claim 15 refer to the statements made in the rejection of claim 13 above. The applicant's admitted prior art further discloses that the compressed bitstream is segmented into video segment processing units (Spec Fig. 2 210 and 215 and par. 11)

In regard to claims 16-20 refer to the statements made in the rejection of claim 13 above. The applicant's admitted prior art and Hsu both disclose compliance with MPEG and/or H.263 standards (Spec par. 10 and Hsu section II A) which inherently include video segment processing units such as groups of pictures, frames, slices, macroblocks, blocks. The standards further include block headers that contain a variety of information including segment offset, schedule information, and quantization parameters, which are compression statistics.

In regard to claim 21 refer to the statements made in the rejection of claim 13 above. Hsu further discloses that quantizer parameters are selected from a finite set (Hsu Section III par. 3) therefore any adjustment in quantizing parameters to reduce bit-rate will be a fixed percentage or amount as it will merely be moving from one fixed parameter to another fixed parameter.

In regard to claims 38-44 refer to the statements made in the rejection of claims 13-21 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremiah C. Huber whose telephone number is (571)272-5248. The examiner can normally be reached on Mon-Fri 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremiah C Huber
Examiner
Art Unit 2621


MEHRDAD DASTOURI
SUPERVISORY PATENT EXAMINER
TC 2600